

### Remarks

The above Amendments and these Remarks are in reply to the Office action mailed July 12, 2004. Claims 18, 23-24 and 30 have previously been withdrawn from consideration. Claims 1-17, 19-22 and 25-29 are presented herewith for consideration.

PAIR indicates that the original Notice of Informal or Non-Responsive Amendment was mailed by the Patent Office to the incorrect address on June 20, 2003. The Application presumably went abandoned due to the Patent Office error one month later on July 20, 2003. The abandonment was rescinded and the Notice of Informal or Non-Responsive Amendment was sent to applicants on July 12, 2004. Therefore, applicant respectfully requests that the term of any patent issuing on these claims be adjusted pursuant to 35 U.S.C. §154.

### Election of Species

In the July 12, 2004 Notice, the Examiner indicated that applicant did not fully respond to prior Office action.

With respect to the election requirement set forth in Section 4 of the November 7, 2002 Office action, applicant acknowledges that the sonic, mechanical, electrical, optical and magnetic energy sources, and combinations of these energy sources, recited in the claims for exciting the reactant material according to the invention recited in the present claims are not patentably distinct from each other. Applicant makes no statement as to whether the recited energy sources might be patentably distinct from each other when recited in other claims.

With respect to the election requirement set forth in Section 5 of the November 7, 2002 Office action, applicant acknowledges that the reactant materials recited in the claims that are excited by the energy sources according to the invention recited in the present claims are not patentably distinct from each other. Applicant makes no statement as to whether the recited reactant materials might be patentably distinct from each other when recited in other claims.

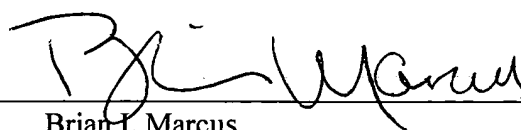
Based on the above remarks, consideration of Claims 1-15, 27 and 29 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: September 8, 2004

By:   
Brian I. Marcus  
Reg. No. 34,511

VIERRA MAGEN MARCUS HARMON & DENIRO LLP  
685 Market Street, Suite 540  
San Francisco, California 94105-4206  
Telephone: (415) 369-9660  
Facsimile: (415) 369-9665